

REMARKS/ARGUMENTS

Rejection Under 35 U.S.C. § 112, first paragraph

The Examiner maintained the rejection of claims 1, 3-13, 20, 21, 25, and 26 under 35 U.S.C. § 122, first paragraph. Specifically, the Examiner stated that the newly added language "heating to about 75 °C. for at least 1 minute" has no support in the specification and therefore, constitutes new matter. Applicants respectfully traverse this rejection.

In rendering the rejection, the Examiner indicated that the language, "heating to about 75 °C. for at least 1 minute" lacked support in the specification. Applicants would like to direct the Examiner's attention to the specification, specifically paragraph 49, which states "...then heat inactivation of enzyme for 20 minutes at 75 °C...." followed by "...the heat inactivation step may be within the range of 55-85 °C. for 1 minute to many hours...." This statement encompasses the limitation of "heating to about 75 °C. for at least 1 minute" and therefore, supports that at the time the application was filed, the inventor(s) had possession of the claimed invention.

It is thus submitted that the claims meet the requirements of 35 U.S.C. § 112, first paragraph, and reconsideration and withdrawal of the present rejection is respectfully requested.

CONCLUSION

For these reasons, Applicants believe all pending claims are now in condition for allowance. If the Examiner has any questions pertaining to this application or feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at (408) 731-5768.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 01-0431.

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

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Respectfully submitted,



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